

**CASTLE SHANNON BOROUGH
MINUTES OF REGULAR MEETING**

May 13, 2024

The following elected officials were present: N. Kovach, D. Swisher; K. Brannon; J. Emph; D. Seiler; L. Shartle; E. O'Malley; Council Member W. Oates and Mayor D. Baumgarten were absent. The following appointed officials were present: M. Foote, Borough Manager; D. Biondo, Borough Solicitor; K. Truver, Police Chief; J. Callender, Borough Engineer; P. Vietmeier, Code Official.

Public Notice: Ms. Kovach announced that council met in executive session this evening at 6:00 pm for the purpose of collecting information or educating agency members about an issue.

Ms. Kovach also announced that due to the Memorial Day Holiday, there will be no meeting held on May 29.

Ms. Kovach also noted that there will be a conditional use hearing directly after today's meeting to address three conditional use applications, including: proposed billboard by Transformation Media at 3160 Library Road; proposed business by Wenbin Huang at 1106 Castle Shannon Boulevard; proposed personal service business by Maya Sweet at 3633 Poplar Avenue.

Public Comment – Agenda Items: Ms. Kovach opened the public comment for agenda items. Being none, the public comment section was closed.

Public Presentations: Ms. Kovach presented a proclamation observing the week of May 12-18, 2024 as National Police Week, commemorating law enforcement officers, past and present, who have rendered a dedicated service to their communities. It was further noted that May 15, 2024 is proclaimed as Peace Officers' Memorial Day, to honor officers who have lost their lives in the line of duty.

Ms. Kovach presented a proclamation commemorating the week of May 19-25, 2024 as National Public Works Week, recognizing the substantial contributions Public Works make in protecting our national health, safety, and advancing quality of life for all.

Minutes: The minutes of the April 22, 2024 council meeting were presented. Mr. Emph motioned to approve the minutes. Mr. Swisher seconded; all in favor; motion carried.

Administration: Mr. Foote presented the proposal to rescind Resolution Number 696 to comply with Chapter 10 of Pennsylvania Borough Code. Mr. Swisher motioned to rescind Resolution Number 696. Mr. Brannon seconded; all in favor; motion carried.

Bid Openings, Contracts, and Resolutions: Ms. Kovach presented Resolution Number 752, authorizing the Borough Manager to submit a grant application for funding through the 2024 CFA Greenways, Trails, and Recreation Program. This grant in the amount of \$250,000.00 would support improvements at Municipal Park. Mr. Swisher asked what "CFA" stood for, with Mr. Foote answering their acronym stood for "Commonwealth Financing Agency." Mr. Emph

motioned to adopt Resolution Number 752, authorizing the Borough Manager to submit a grant application for funding. Mr. Seiler seconded; all in favor; motion carried.

Ms. Kovach presented Resolution Number 753, authorizing the Borough Manager to submit a grant application for funding through the 2024 CFA Greenways, Trails, and Recreation Program. This grant in the amount of \$250,000.00 would support improvements at Riehl Park. Mr. Swisher motioned to adopt Resolution Number 753, authorizing the Borough Manager to submit a grant application for funding. Mr. Seiler seconded; all in favor; motion carried.

Council Committee Reports

Community Engagement/Events – Mr. Emph noted that the Borough would again be partnering with Castle Shannon Volunteer Fire Department for Community Day during the Fire Department’s annual carnival. The carnival will take place from July 24-27, with the Community Vendor Show taking place on Saturday July 27. Mr. Emph also noted that any local businesses or community enterprises are welcome to attend, and to contact Ms. Copenheaver at the Borough offices during regular business hours if they were interested in participating.

Mr. Brannon gave information on the Memorial Day Parade. The parade will take place on Monday, May 27th beginning at 10:30 am. The parade will begin at Hoodridge Drive behind 250 Mt. Lebanon Boulevard. The route will travel down Mt. Lebanon Boulevard to the PRT parking lot, proceeding to the Memorial located at Castle Shannon Boulevard and Willow Avenue. There will be food and drinks served at the American Legion on Castle Shannon Boulevard after the memorial service.

Finance – Mr. Swisher noted that he was absent at the April 22 meeting, and Mr. Seiler approved the check registers for April 12 and 19. Mr. Swisher had a question on the April 12 register for the invoice from James D. Petrick for a pre-employment screening. Chief Truver answered that it was for a state required pre-employment exam for Officer Maggi. Mr. Swisher also questioned a charge for John. E. Reid & Associates for officer training. Chief Truver answered that it was for advanced interview and interrogation training. Mr. Swisher asked if officers receive training on interrogation from the police academy, with Chief Truver answering that it is very basic technique only.

Mr. Swisher had a question on the May 3 check register for a check to the Pennsylvania State Association of Town Supervisors for flagger training for Public Works, and asked if it was a required training. Mr. Foote answered that it was not a required training, but in the effort of continuing education and staying up to date on procedure and regulations, Public Works attended this training. Mr. Swisher asked if all of the Public Works team attended and if it was a one-day training, with Ms. Copenheaver confirming.

Mr. Swisher also had a question on the May 10 check register for a charge from Lennon, Smith, and Souleret Engineers on the WetGo Tapping Fee. Mr. Swisher directed the question to Mr. Callender for clarification on the charge. Mr. Callender answered that it was a fee for the bond release inspection of the WetGo building, but that he would need to follow up with the engineers

to confirm. Mr. Foote noted that Borough staff could review the invoices and provide a more detailed explanation as well.

Mr. Swisher stated that he would approve all of the check registers, aside from the May 10 register awaiting an answer on the Lennon, Smith and Souleret charge.

Mr. Emph motioned to authorize the payment of all outstanding bills and invoices, barring the May 10 check register. Mr. Swisher seconded; all in favor; motion carried.

Planning and Codes – The WetGo located at 3107 Library Road has requested the release of their Site Improvement Performance Bond in its entirety of \$330,889.90. Ms. Kovach asked Mr. Callender if the required work had been completed to satisfaction, with Mr. Callender confirming the work had been reviewed and approved. Ms. Shartle motioned to authorize the Borough Manager to release the bond in its entirety. Mr. Brannon seconded; all in favor; motion carried.

Public Works – Ms. Kovach noted that construction by Columbia Gas will begin at Castle Circle on May 20.

Ms. Kovach presented that an application for a seasonal employee had been received, and noted that the Borough normally hires seasonal help during the summer to assist Public Works with grass cutting and other projects. Ms. Shartle motioned to authorize the Borough Manager to hire a seasonal employee that meets the qualifications for said position. Mr. Emph seconded; all in favor; motion carried.

Board Reports

ACBA – Ms. Kovach noted that there was nothing to report, and the next meeting will be held in June.

Civil Service – Chief Truver stated that SHACOG joint tested 23 applicants for the 2024 police examination. 21 of those applicants showed up for testing, with one failing the physical portion of the test. Overall there were 6 possible candidates for the Castle Shannon Police Department, had they not hired Officer Maggi. Chief Truver stated that the Police Department will not be moving forward to extra testing on any of these candidates unless a vacancy in the department presents itself. Mr. Brannon noted that he received a letter from SHACOG in regards to the candidate list, but did not receive the actual list. Chief Truver confirmed he would get a copy to Mr. Brannon.

Economic Development – Mr. Foote noted that he recently spoke with a consulting group in regards to exploring economic options in downtown Castle Shannon, possibly including the old Vitte's property. Mr. Foote will be following up in a few weeks to see if there are any viable and affordable options that make sense for the Borough to pursue.

Ms. Kovach mentioned that the Castle Shannon Revitalization Corporation hosted a Spring Restaurant Week that began Wednesday May 8 and will run until Wednesday May 15. She also noted that more information on deals and promotions can be found on the CSRC Facebook page.

Library – Ms. Shartle stated that the Library was closed last Wednesday, May 8 to install new computers. Ms. Shartle also mentioned that May has a great agenda of events planned, including crafting handmade soap and chair yoga, and to check out the Library website for more information.

Mr. Foote mentioned that a dimmer switch had been added to the electronic sign in front of the library to dim the lighting at night, due to some resident complaints. Mr. Foote also reminded Council that there is a roof replacement bid that will be coming up in the next few meetings.

MRTSA – Mr. Swisher noted that the MRTSA board met last month. The new executive director has been acting for about a month and everything seems to be running smoothly.

SHACOG – Mr. Seiler stated that the next meeting will be held this Thursday, May 16 in West Mifflin. Mr. Seiler also noted that the Castle Shannon Revitalization Corporation will be meeting on Wednesday, May 15 beginning at 7:00 pm at the Municipal Center.

Manager's Report – Mr. Foote stated that the glass recycling container located at the Fire Department will be phased out of use beginning June 1. There will be signage stating this at the container leading up to its removal, as well as information on the Borough website and social media.

Chief Truver added that construction at Willow Avenue will begin on Friday, May 17 in regards to the PRT Rail Replacement project. This will be a 24/7 operation, and traffic will not be able to go past the intersection at Willow Avenue and Baldwin Street where the light rail crosses. This project is expected to take 25 days to complete, from May 17 to June 10. Chief Truver noted that this project will run right into the St. Anne Fair, and that residents in the area will be inconvenienced by noise and traffic during this time. Chief Truver added that PRT has authorized police presence to help guide traffic at Canal Street and Route 88, and he has reached out to mutual aid for support in staffing police at the construction site. He also mentioned that there is information about this construction project posted on both the Police and Borough websites.

Real Estate Tax Collector Report – Ms. O'Malley stated that for the month of April, \$3,012,014.31 was collected. Year to date, \$4,537,299.28 was collected. The next tax deadline is June 15 at face value.

Public Comment – Non-Agenda Items - Ms. Kovach opened the public comment section of the meeting.

Joe Furey, 4002 Willow Avenue – Mr. Furey addressed the paving and roadwork on Willow Avenue and Baldwin Street. Mr. Furey noted that while it is nice to have the street maintained, the road work in the area has been ongoing for nearly two years. There is still work going on at

the bottom of Baldwin Street, and steel plates are being dragged across the new pavement. Mr. Furey added that there was a new parking stall installed on the street that still has yellow paint and wanted to know if the Borough would take care of repainting that. Chief Truver answered that the new spot was on the list to be repainted and that since there is no “no parking” sign the yellow paint can be disregarded.

Mr. Furey also brought up that multiple contractors over the last two years have used the parking lot at the former St. Anne’s School as a staging area, and wanted to know if any variances had been granted to those contractors for use of that area, or if they had to apply for permits to use that area. There is now a large construction trailer in the lot, and more materials and trucks will be staged there once the rail replacement project begins. Mr. Furey stated that it is a residential area that has had a commercial enterprise working out of the parking lot. Ms. Kovach answered that as that parking lot is private property, they would have had to grant permission to the contractors to use.

Mr. Furey noted that there was work on the school building at one time and they needed permits, and wanted to know if there was anything that the utility contractors had to apply for to do their work. Mr. Furey further noted there has been as many as 8 dump trucks and other equipment there at one time, and with the warmer weather and having windows open, the diesel comes right into their house. Mr. Vietmeier stated that there aren’t any specific permits needed for construction vehicles, and that they can park wherever they can as long as it is done legally. Mr. Vietmeier further noted that if there wasn’t a central location for the work vehicles, the utility projects in the area could potentially take much longer to complete. Because the work on the building was permanent, and on the building itself, certain permits were required. The vehicles are not going to be a permanent fixture, so there are no permits needed. Ms. Kovach added that there is no real regulation on where temporary construction vehicles must be stored.

Old Business –

1. Ms. Kovach presented the intended closure of the Smith Street Pedestrian Bridge, in accordance with Chapter 12 Corporate Powers, subsection 1202 Specific Powers and Chapter 17 Streets, subchapter C Laying Out Streets, subsection 1721.1 (a) Authority of Borough. This closure is with cooperation from PRT and assessment by Lennon, Smith, and Souleret Engineers. Staff recommends the temporary closure of the Smith Street pedestrian bridge until repairs can be made or the bridge can be replaced. The length of this closure would be determined by the Borough’s ability to secure grant funding to repair/replace the bridge. Mr. Emph motioned to temporarily close the Smith Street pedestrian bridge until such time as the Borough can secure funding for its repair or replacement. Mr. Brannon seconded; all in favor; motion carried.

Mr. Swisher noted that this closure is in conjunction with PRT, who will be assisting in this project. The Borough is not closing the bridge by itself, and is working with PRT on this. Mr. Swisher also noted that resident Michael Stout has been a large proponent in this closure and repair project, and wanted this to be on record that there is action being taken.

2. Ms. Kovach presented the 2024 Paving Program. Borough Council conditionally approved the award of Liquid Fuels Fund Contract No. 24-RO1 to Pave & Plow, LLC in

the amount of \$243, 158.84.and Capital Fund Contract No. 24-RO2 to Pave & Plow, LLC in the amount of \$179,783.00. Conditions placed on the award were for LSSE to confirm the contractor was PennDOT Pre-Certified and for LSSE to contact Pave and Plow’s references. Both have been completed and confirmed.

Mr. Swisher questioned Mr. Callender on whether the prime contractor was required to do at least 50% of the work themselves, and not with the use of a subcontractor. Mr. Callender confirmed that 50% of the work is done by the prime contractor according to their contracts. Mr. Swisher noted that there is a subcontractor being used for the milling portion of this project, and questioned if that would be less than 50% of the project. Mr. Callender and Mr. Brannon confirmed that the milling is only a small section of the project.

Ms. Shartle motioned to authorize the Borough Manager to move forward with the awarding of these contracts. Mr. Emph seconded; all in favor; motion carried.

New Business –

Engineer’s Report – Ms. Kovach asked if there was anything to report for the engineers. Mr. Callender noted that there is nothing officially being presented tonight, and that he is present to answer questions on agenda items.

Veterans Memorial Committee – The committee has met several times in the last few weeks along with the American Legion to discuss the memorial and location options. They are currently preparing a presentation for council that will be presented at a future meeting.

Mr. Emph motioned to adjourn. Mr. Swisher seconded; all in favor; motion carried.

Approved as presented this 10th day of June 2024.

C. Michael Foote
Borough Manager

Nancy Kovach
Council President